

ORDINANCE No. 121743

COUNCIL BILL No. 115162

AN ORDINANCE transferring jurisdiction of certain real property located in Rainier Valley, along the approved route of the Sound Transit Central Link Light Rail Project, from the Fleets and Facilities Department to the Seattle Department of Transportation, and dedicating that property for street purposes.

COMPTROLLER FILE No. _____

Introduced: JAN 31 2005	By: <u>Richard Corbin</u>
Referred: JAN 31 2005	To: TRANSPORTATION
Referred:	To:
Referred:	To:
Reported: 2-28-05	Second Reading:
Third Reading: 2-28-05	Signed: 2-28-05
Presented to Mayor: 2-28-05	Approved: 3/4/05
Returned to City Clerk: 3/4/05	Published: <u>Letter 499</u>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

The City of Seattle--Legislative D

REPORT OF COMMITTEE

Honorable President:

Your Committee on _____

to which was referred the within Council Bill No. _____
report that we have considered the same and respectfully recommend that th

passed 3-0 Rasmussen, Gaddan, Corbin

2-28-05 Passed 3-0 (Absent: Della)

Law Department

Committee Chair

ME

The City of Seattle—Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

2/24/05

Honorable President:

Your Committee on _____

to which was referred the within Council Bill No. _____
report that we have considered the same and respectfully recommend that the same:

passed 3-0 Rasmussen, Godden Conlin

2-28-05 Passed 7-0 (Absent: Della, Godden)

Conlin

ATION

5

19. 2/24/05

Law Department

Committee Chair

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
IT IS DUE TO THE QUALITY OF THE DOCUMENT.

ORDINANCE 121743

AN ORDINANCE transferring jurisdiction of certain real property located in Rainier Valley, along the approved route of the Sound Transit Central Link Light Rail Project, from the Fleets and Facilities Department to the Seattle Department of Transportation, and dedicating that property for street purposes.

WHEREAS, on April 20, 1998, pursuant to Ordinance 118927, the City of Seattle executed a Memorandum of Agreement for Intergovernmental Cooperation with the Central Puget Sound Regional Transit Authority; and

WHEREAS, on April 10, 2000, in Resolution 30128, the City Council approved the light rail alignment, station locations, and maintenance base location for the Central Link Light Rail Project; and

WHEREAS, on July 30, 2000, pursuant to Ordinance 119975, the City Council authorized an agreement with Sound Transit to allow the non-exclusive use of certain City of Seattle streets and rights-of-way for the Central Link Light Rail Project; and

WHEREAS, Sound Transit and the City of Seattle now desire to include four parcels of land, along the approved route of the Central Link Light Rail Project, within the scope and authority of the agreement authorized by Ordinance 119975; and

WHEREAS, on February 19, 2004, Sound Transit agreed to pay the City of Seattle the true and fair value for these parcels upon a transfer of jurisdiction of these parcels from the Fleets and Facilities Department to the Seattle Department of Transportation; and

WHEREAS, after being notified of the potential availability of the property identified in Section 1 below, no other City department or other governmental agency has requested jurisdiction or has proposed a public use for any of these parcels;
NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The following described real property, which is currently under the jurisdiction of the Fleets and Facilities Department, is hereby transferred to the jurisdiction of the Seattle Department of Transportation:



1
2 SOUND TRANSIT PARCEL NO. RV-284
3 (PART OF CITY OF SEATTLE PMA #73)

4 Acquired by Treasurer's Deed #37500, from King County, as authorized by Ordinance
5 88280, effective July 8, 1959:

6 That portion of Lot 10, Plat of Lake Dell (Smith's), as recorded in Volume 4 of Plats,
7 page 17, Records of King County, Washington, lying west of Martin Luther King Jr. Way S.
8 (formerly Empire Way), as established by City of Seattle Ordinance 55314, South of S.
9 Cloverdale St. as established by City of Seattle Ordinance 35610, and east of the Seattle City
Light Transmission Line Right of Way.

10 SOUND TRANSIT PARCEL NO. RV-272
11 (PART OF CITY OF SEATTLE PMA #72)

12 Acquired by Treasurer's Deed #37477, from King County, as authorized by Ordinance
13 88201, effective June 17, 1958:

14 That portion of Lot 12, Plat of Lake Dell (Smith's), as recorded in Volume 4 of Plats,
15 page 17, Records of King County, Washington, described as follows:

16 Beginning at a point on the south line of said lot 238.06' east of the southwest corner
17 thereof; Thence North 15°41'28" West a distance of 182.08'; Thence North 17°49'34" West
18 a distance of 4.42' to a point on the south line of the north 150' of said Lot 12, as measured
19 perpendicular to the north line thereof, which is also the south margin of S. Thistle St., as
20 established by King County's condemnation in 1893; Thence easterly along said last-described
21 line a distance of 5.74' to a point on the westerly margin of Martin Luther King Jr. Way S.
(formerly Empire Way), as established by City of Seattle Ordinance 55314; Thence southerly
along said westerly margin to its intersection with the south line of said Lot 12; Thence west
along said south line 14.32', more or less, to the Point of Beginning.

22 SOUND TRANSIT PARCEL NOS. RV-284.1 and RV-285
23 (PART OF CITY OF SEATTLE PMA #4318)

24 Acquired by Treasurer's Deed #37516, from King County, as authorized by Ordinance
25 88394, effective August 13, 1959:
26
27
28



Those portions of Lot 10, Plat of Lake Dell (Smith's) as recorded in Volume 4 of Plats, page 17, Records of King County, Washington, described as follows:

Beginning at the intersection of the southerly margin of S. Cloverdale St., as established by City of Seattle Ordinance 35610, and the northerly margin of Martin Luther King Jr. Way S. (formerly Empire Way), as established by City of Seattle Ordinance 55314; Thence easterly along said southerly margin a distance of 41'; Thence South $36^{\circ}06'05''$ West a distance of 42.45' to an intersection with a nontangential curve of 1,279.58' radius, the origin of which bears South $71^{\circ}46'16''$ West; Thence southeasterly along the arc of said curve 146.68', more or less, to its intersection with the west line of the east 140' of said lot, as measured perpendicular to the east line of Lot 10; Thence southerly along said westerly line 48.01', more or less, to its intersection with the above mentioned northeasterly margin of Martin Luther King Jr. Way S.; Thence northwesterly along said northeasterly margin to the True Point of Beginning; Except therefrom that portion taken for street under City of Seattle Ordinance 103228; AND

Beginning at the southwest corner of the west 65' of the east 140' of the north 100' of the south 200' of said Lot 10; Thence northerly along the westerly line thereof a distance of 39.38'; Thence South $09^{\circ}13'19''$ East a distance of 19.96'; Thence South $07^{\circ}23'06''$ East a distance of 19.96' to the south line of the north 100' of the south 200' of said Lot 10; Thence westerly along said southerly line to the True Point of Beginning.

All situate in the City of Seattle, Washington.

Section 2. The above described parcels are dedicated for street purposes and are laid off as part of the existing Martin Luther King Jr. Way S.

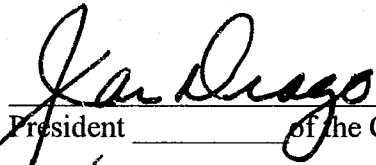
Section 3. Proceeds received from Sound Transit for the transfer of jurisdiction authorized herein shall be used first to reimburse costs incurred and paid by the Fleets & Facilities Department in connection with this transfer. The remainder of such proceeds shall be deposited in the Unrestricted Subaccount of the Cumulative Reserve Subfund (00164) in accordance with SMC 5.80.030.

Section 4. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and confirmed.



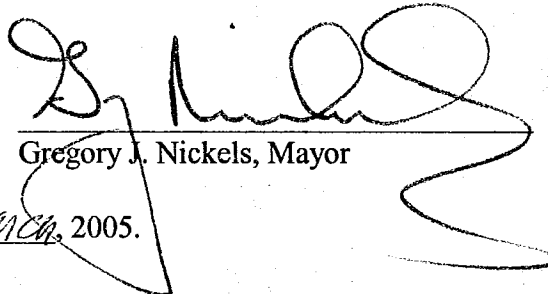
Section 5. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 28th day of February, 2005, and signed by me in open session in authentication of its passage this 28th day of February, 2005.



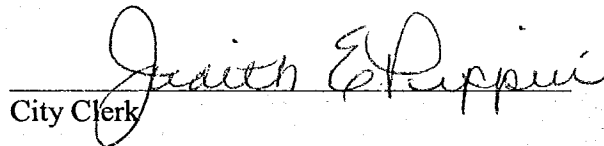
President _____ of the City Council

Approved by me this 4th day of March, 2005.



Gregory J. Nickels, Mayor

Filed by me this 4th day of March, 2005.



City Clerk

(Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Fleets & Facilities	Dave Barber / 684-0400	Candice Chin / 233-7014

Legislation Title:

An ordinance transferring jurisdiction of certain real property located in Rainier Valley, along the approved route of the Sound Transit Central Link Light Rail Project, from the Fleets and Facilities Department to the Seattle Department of Transportation, and dedicating that property for street purposes.

• Summary of the Legislation:

This legislation transfers jurisdiction over four parcels of City-owned land from the Fleets & Facilities Department to the Seattle Department of Transportation to make the parcels available to the Central Puget Sound Regional Transit Authority for construction of the Central Link Light Rail Project in the Rainier Valley. The four parcels of land are located along the approved route of the Central Link Light Rail Project and are within the scope and authority of an agreement approved by the City Council in July 2000 and authorized by Ordinance 119975. That agreement allows the non-exclusive use of certain City of Seattle streets and rights-of-way for the Central Link Light Rail Project. The legislation dedicates the four parcels for street purposes and authorizes Sound Transit to widen Martin Luther King Jr. Way S. after the light rail system is constructed in the center of that street in the vicinity of South Cloverdale Street. Sound Transit has agreed to pay the City of Seattle the true and fair value, determined to be \$32,000, for the four parcels.

• Background:

The City of Seattle acquired these four parcels of land from King County by Treasurer's Deed in the 1950s. The parcels are undeveloped and currently held as assets of the City's General Fund.

The parcels are adjacent to a section of Martin Luther King Jr. Way South (in the vicinity of South Cloverdale Street) that is part of the alignment of the Sound Transit light rail line. This alignment was approved by the City Council in Resolution 30128 adopted in April 2000. In June 2000, the Council passed Ordinance 119975 that authorized Sound Transit to construct and operate the Central Link Light Rail Project in the City streets and rights-of-way that include this section of Martin Luther King Jr. Way South.



In February 2004, Sound Transit agreed to pay the City the true and fair value, determined to be \$32,000, for four parcels of land adjacent to this section of Martin Luther King Jr. Way South, upon City Council approval of a transfer of jurisdiction over these parcels from the Fleets & Facilities Department to the Seattle Department of Transportation.

X This legislation has financial implications.

Anticipated Revenue/Reimbursement: Resulting From This Legislation

Fund Name and Number	Dept	Revenue Source	2005 Revenue	2006 Revenue
Cumulative Reserve Subfund Unrestricted Subaccount (00164)	Department of Finance	Sound Transit	\$29,921	None
FFD Operating Fund (50330)			\$2,079	
TOTAL:			\$32,000	

Notes:

- The planned distribution of proceeds received from Sound Transit for the transfer of jurisdiction is as follows:

Distribution of Proceeds	Amount
Reimbursement to FFD for costs incurred and paid by FFD in connection with this transfer	\$ 2,079
Deposit to the Unrestricted Subaccount of the Cumulative Reserve Subfund (00164)	\$29,921
Total Distribution	\$32,000

- Sound Transit will fund the construction work to widen the street.

• **What is the financial cost of not implementing the legislation?**

If Martin Luther King Jr. Way S. is not widened as contemplated in this legislation, the City could incur significant costs related to increased traffic congestion. That congestion could increase air pollution, noise pollution, and traffic accidents, and could also interfere with



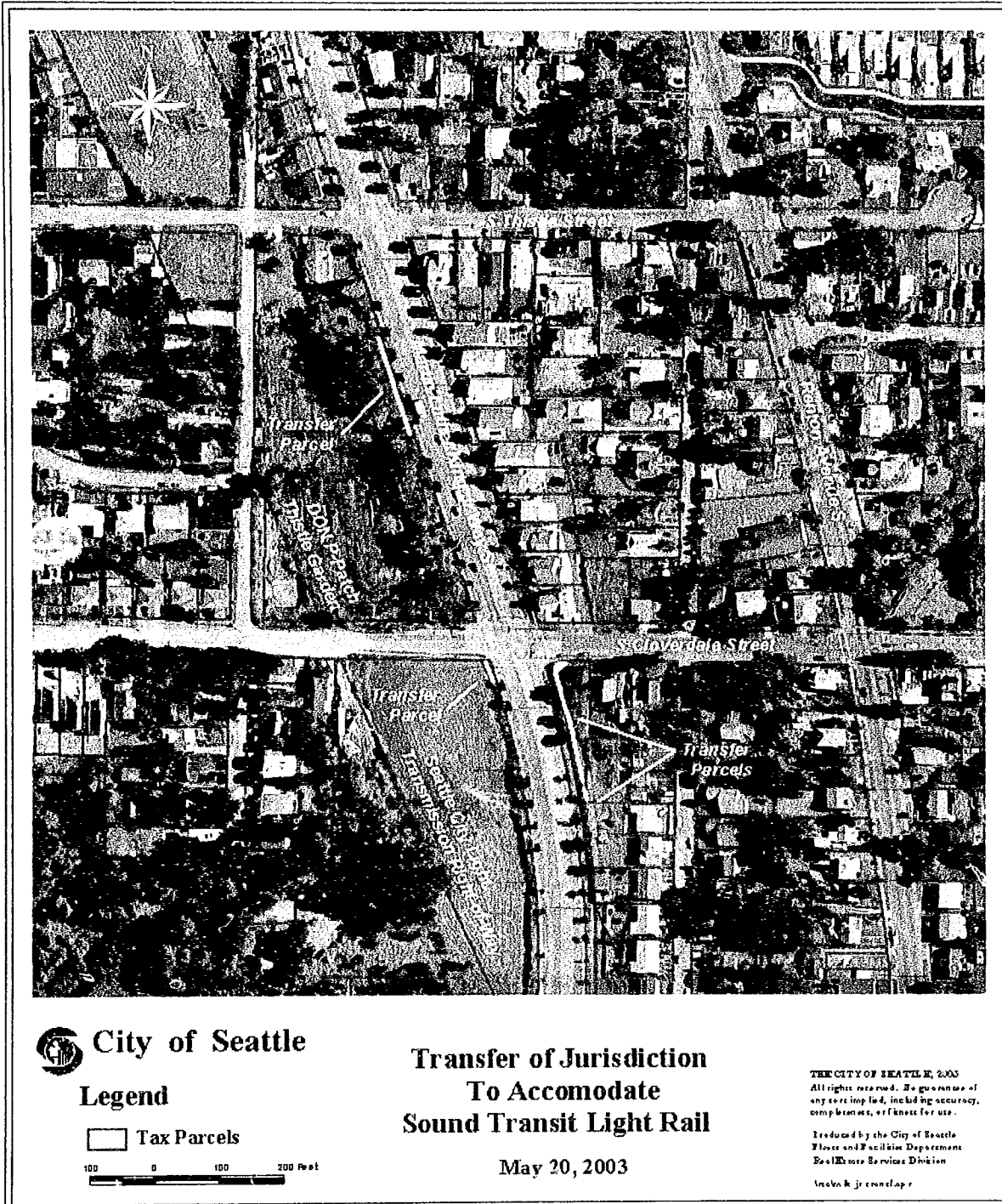
emergency vehicles. These effects could burden the City with litigation, clean-up, and other unanticipated costs as well as depress property values.

If the legislation is not implemented, the City would forfeit \$32,000 in revenue from Sound Transit.

- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** None.
- **Is the legislation subject to public hearing requirements?** No.
- **Other Issues**

Please list attachments to the fiscal note below:

Map of parcels and surrounding area.



FFD Rainier Valley Transfer Ordinance





City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

January 17, 2005

Honorable Jan Drago
President
Seattle City Council
City Hall, 2nd Floor

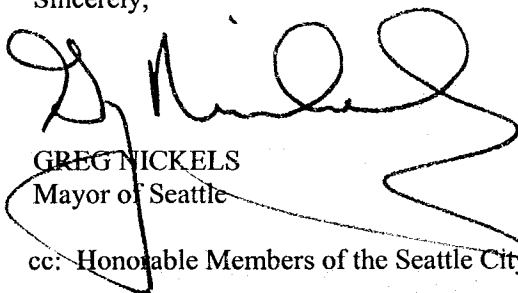
Dear Council President Drago:

I am pleased to transmit the attached proposed Council Bill that transfers jurisdiction over four parcels of land in the Rainier Valley from the Fleets and Facilities Department (FFD) to the Seattle Department of Transportation and dedicates those parcels for street use. This transfer of jurisdiction will enable Sound Transit to widen Martin Luther King Jr. Way S. after completion of construction of the light rail system on that street.

This transfer of jurisdiction will make these four parcels available to Sound Transit under the terms of an earlier agreement with the City which allows Sound Transit the non-exclusive use of certain City streets and rights-of-way for construction of the Central Link Light Rail project. Sound Transit has agreed to compensate the City the true and fair value for these parcels, determined to be \$32,000, upon completion of this transfer of jurisdiction.

The funds received by adoption of this Council Bill will be used to reimburse costs incurred and paid by FFD in connection with this transfer, and remaining proceeds will be deposited in the Unrestricted Subaccount of the Cumulative Reserve Subfund. Should you have any questions, please contact Dave Barber at 684-0400 or Jonathan Layzer at 684-8084.

Sincerely,



GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, E-mail: mayors.office@seattle.gov

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121743

STATE OF WASHINGTON - KING COUNTY

--SS.

182947
CITY OF SEATTLE, CLERKS OFFICE

No. ORDINANCE TITLE ONLY

Affidavit of Publication

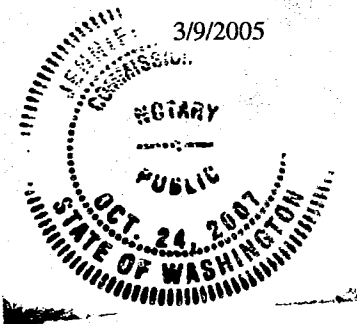
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:121742-121745 TITLE

was published on

3/9/2005



[Signature]

Subscribed and sworn to before me on

3/9/2005

[Signature]

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on February 28, 2005, and published here by title only, will be mailed upon request, or can be accessed electronically at <http://clerk.ci.seattle.wa.us>. For further information, contact the Seattle City Clerk at 684-6344.

ORDINANCE NO. 121745

AN ORDINANCE appropriating money to pay certain audited claims and ordering the Payment thereof.

ORDINANCE NO. 121744

AN ORDINANCE related to sewer facilities of Seattle Public Utilities; adding the Madison Valley Phase 2 Assessment project to the 2005-2010 Adopted Capital Improvement Program, adding dollar allocations to the 2005 CIP, and increasing a 2005 appropriation to Seattle Public Utilities with respect to that project.

ORDINANCE NO. 121743

AN ORDINANCE transferring jurisdiction of certain real property located in Rainier Valley, along the approved route of the Sound Transit Central Link Light Rail Project, from the Fleets and Facilities Department to the Seattle Department of Transportation, and dedicating that property for street purposes.

ORDINANCE NO. 121742

AN ORDINANCE relating to Seattle Center; authorizing the sale of real property on 5th Avenue North, commonly known as Seattle Center Parking Lot 2, to Iris Holdings, LLC ("Iris") and providing for Iris to construct a City parking garage on a portion of the site; authorizing the Seattle Center Director to execute a Purchase Agreement and other documents; amending the 2005-10 Adopted Capital Improvement Program; providing for the deposit and transfer of monies and making various appropriations for various Seattle Center purposes from various funds; and establishing a subfund of the Seattle Center Redevelopment and Parks Community Center Fund; all by a three-fourths vote of the City Council.

Publication ordered by JUDITH PIPPIN,
City Clerk.

Date of publication in the Seattle Daily
Journal of Commerce, March 9, 2005.

3/9(182947)